PLANNING COMMISSION



STAFF REPORT DEPARTMENT OF GROWTH MANAGEMENT

MEETING DATE:	March 27, 2013
PROJECT:	Palmetto Point Commercial – Master Plan Amendment
PROJECT MANAGER:	Danny Wilson, Senior Planner

<u>APPLICATION REQUEST:</u> The Applicant, J. K. Tiller and Associates, requests that the Planning Commission approve the following application:

1. Palmetto Point Commercial Master Plan Amendment. A request by J.K. Tiller and Associates for approval of a Master Plan Amendment to the Palmetto Point Commercial Master Plan to reduce the required SC 170 buffer from 60 feet to 30-40 feet and reduce the required SC 170 setback from 75 feet to 45-55 feet in order to accommodate the widening of Highway 170 travel lanes and vegetative medians. The property is located on the east side of SC 170 between Highland Crossing Drive and Gibbet Road (MPA-2-13-5332).

INTRODUCTION: On June 21, 2000, Town Council approved the annexation petition, Development Agreement, Planned Unit Development Zoning Map Amendment and subsequent Concept Plan for the 4,440 acre tract known as the Jones Estate providing for 5,415 residential dwelling units and 350 acres of Neighborhood/ General Commercial designation. The Jones Estate PUD Concept Plan divided the entirety of the Jones Estate into 7 Planning Tracts, each with their own list of allowed residential, commercial or other land uses. The subject site is located within the Church Point Planning Tract and allows for a mixture of commercial and residential uses. Subsequently, to the PUD and Concept Plan adoption, the Palmetto Point Commercial Master Plan was approved in 2001 that consists of a development for commercial uses.

Current development in the Palmetto Point Commercial Master Plan Area includes roads, stormwater systems, a self-storage facility, and several office buildings. Development on the specific parcels impacted by this Master Plan Amendment consists of a road that runs parallel to SC 170 that creates the eastern property border for the parcels fronting SC 170.

The Applicant is requesting approval of a Master Plan Amendment, which has been made in response to the additional right-of-way being acquired by SCDOT/Beaufort County for the SC 170 widening project. In order to accommodate the SC 170 widening project, the additional right-of-way along this property occupies approximately 20 feet of the frontage along SC 170. If the buffers and building setbacks are not reduced, as requested in this application, the property would lose approximately 20 feet of developable land along the entire SC 170 frontage. The Applicant states in their application that, due to the existing roadways, there is little

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room to accommodate the required buffer and setback with the additional loss of property to the SC 170 widening.

As a result, the Applicant requests to reduce the buffer along SC 170 from 60 feet to a minimum of 30 feet and the building setback along SC 170 from 75 feet to a minimum of 45 feet. These proposed buffers and setbacks are wholly in response to the additional 20 feet of right-of-way needed for SC 170. There are four parcels impacted by the proposed reduction- Parcels 1, 3, 4, and 5. Due to the tapered SC 170 right-of-way, Parcel 5 retains the largest buffer (40 feet) and setback (55 feet), while Parcel 1 retains the smallest buffer (30 feet) and setback (45 feet), with Parcels 3 and 4 retaining 37 feet and 39 feet of buffer and 52 feet and 54 feet of setback respectively.

As defined in Section 2 Jones Estate Concept Master Plan Designation and Definitions of the Jones Estate PUD Concept Plan, the buffers and setbacks are governed at the Master Plan level and do not require a Zoning Map Amendment for adjustment. According to Section D.17 Setbacks and Buffers, "The setback requirement may be adjusted by the Town of Bluffton Planning Commission at the time of Initial Master Plan Submittal to a distance less than the minimum listed above based on unique characteristics of a development tract such as existing significant vegetation, wetlands, etc. that may otherwise render the tract unusable." The Palmetto Point Commercial Master Plan was designed with buffers and setbacks that met the "minimum listed above" referenced in Section D.17 of a 60 foot buffer and 75 foot setback along SC 170.

This application was reviewed by the Development Review Committee (DRC) on March 19, 2013 and a copy of the DRC Staff Report is attached to this report.

BACKGROUND: Palmetto Point Commercial is adjacent to the following land uses, zoning districts, and SC 170 buffer/building setbacks (if applicable):

Direction	Jurisdiction	Zoning District	Current Land Use	Future Land Use	Buffer Along SC 170	Setback Along SC 170
North	Town of Bluffton	Jones Estate PUD	Vacant- forested	Medium Intensity Commercial	60′	75′
East	Town of Bluffton	Jones Estate PUD	Vacant- forested Commercial	Medium Intensity Commercial	N/A	N/A
South	Town of Bluffton	Jones Estate PUD	Single-family Residential	Medium Density Residential	75′	150′
West	Town of Bluffton	Jones Estate PUD	Single-family Residential	Low Density Residential	75′	150′

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The approved Development Agreement for Jones Estate required the Applicant and other property owners in Palmetto Point Commercial Master Plan Area to make available the right-of-way for the SC 170 widening project. At the time the Development Agreement was executed, the exact amount of right-of-way required for the widening project was unknown. However, based on estimates at that time, Master Plans, including the Palmetto Point Commercial Master Plan, were designed based on a maximum right-of-way of 150 feet for the SC 170 widening. The actual right-of-way adjacent to the subject property ended up being approximately 170 feet in width.

Over the last several years, the Town of Bluffton, Beaufort County, and SCDOT finalized the roadway design for the SC 170 widening project. The final design includes a four-lane roadway with a large median that preserves existing trees. Recently, Palmetto Point Commercial has made available to SCDOT/Beaufort County the right-of-way depicted on the revised Master Plan in order to facilitate this roadway design.

<u>PLANNING COMMISSION ACTIONS:</u> As granted by the powers and duties set forth in Section 2.2.6.C.5 of the Unified Development Ordinance, the Planning Commission has the authority to take the following actions with respect to this application:

- 1. Approve the application as submitted by the Applicant;
- 2. Approve the application with conditions; or
- 3. Deny the application as submitted by the Applicant.

REVIEW CRITERIA & ANALYSIS: Town Staff and Planning Commission are required to consider the criteria set forth in Section 3.9.3 of the Unified Development Ordinance (UDO) in assessing an application for a Master Plan Amendment. These criteria are provided below followed by a Staff Finding(s) based upon review of the application submittals to date.

A. <u>Section 3.9.3.A.</u> Promotion of and consistency with the land use goals, environmental objectives and overall intent of the policies within the Comprehensive Plan.

Finding. The application is consistent with the Comprehensive Plan's land use goals, environmental objectives, and overall intent. Specifically, the application is consistent with the Land Use and Transportation chapters of the Comprehensive Plan, including the Corridor Character Planning subsection of the Land Use chapter. This subsection generally promotes the preservation and consistent treatment of tree canopy both along the roadway and within medians when appropriate. The setback and buffer consistency along SC 170 allows the Town to reinforce the character of the corridor, which helps create a future corridor that is cohesive in nature.

B. <u>Section 3.9.3.B.</u> Consistency with the intent of the Planned Unit Development Zoning District as prescribed in this Ordinance.

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Finding. The application does not propose any modifications to the approved PUD document, layout, uses, or general character. As a result the application is consistent with this requirement.

- C. <u>Section 3.9.3.C.</u> As applicable, consistency with the provisions of the associated Development Agreement and/or PUD Concept Plan.
 - Finding. Flexibility in SC 170 buffer and setback requirements is allowed in the approved Jones Estate Development Agreement. The application is consistent with the Jones Estate Development Agreement and PUD Concept Plan.
- D. <u>Section 3.9.3.D.</u> Compatibility of proposed land uses, densities, traffic circulation and design with adjacent land uses and environmental features, as well as the character of the surrounding area.
 - Finding. The application does not propose any modifications to the approved land uses, density, traffic circulation, or overall site design. The proposed buffer and building setback distances are not only consistent with other developments along the SC 170 corridor, but also exceed other properties within the Town limits along the corridor. As a result the application is consistent with this requirement.
- E. <u>Section 3.9.3.E.</u> Ability to be served by adequate public services, including, but not limited to, water, sanitary sewer, roads, police, fire, and school services. For developments that have the potential for significant impact on infrastructure and services the applicant shall be required to provide an analysis and mitigation of the impact on transportation, utilities, and community services.
 - *Finding.* The application does not propose any modifications to the approved land uses, density, or impacts to public services. As a result the application is consistent with this requirement.
- F. <u>Section 3.9.3.F.</u> Demonstration of innovative site planning techniques that improve upon the standards in other allowable Town of Bluffton zoning districts with the purpose of enhancing the Town of Bluffton's health, safety and welfare.
 - Finding. The application does not propose any modifications to the approved site layout. The application does allow for the retention of the vegetated median that maintains existing tree canopy. This site planning technique is innovative when compared to past widening of SC 170 north of US 278. Further, the provision of this median and maintenance of a roadside buffer enhances the general welfare of the Town of Bluffton. As a result the application is consistent with this requirement.
- G. <u>Section 3.9.3.G.</u> Ability of the site to sufficiently accommodate the densities and land use intensities of the proposed development.
 - *Finding.* The application does not propose any modifications to the approved density or land use intensities. As a result the application is consistent with this requirement.

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H. <u>Section 3.9.3.H.</u> Conformance with adopted or accepted plans, policies, and practices of the Town of Bluffton.

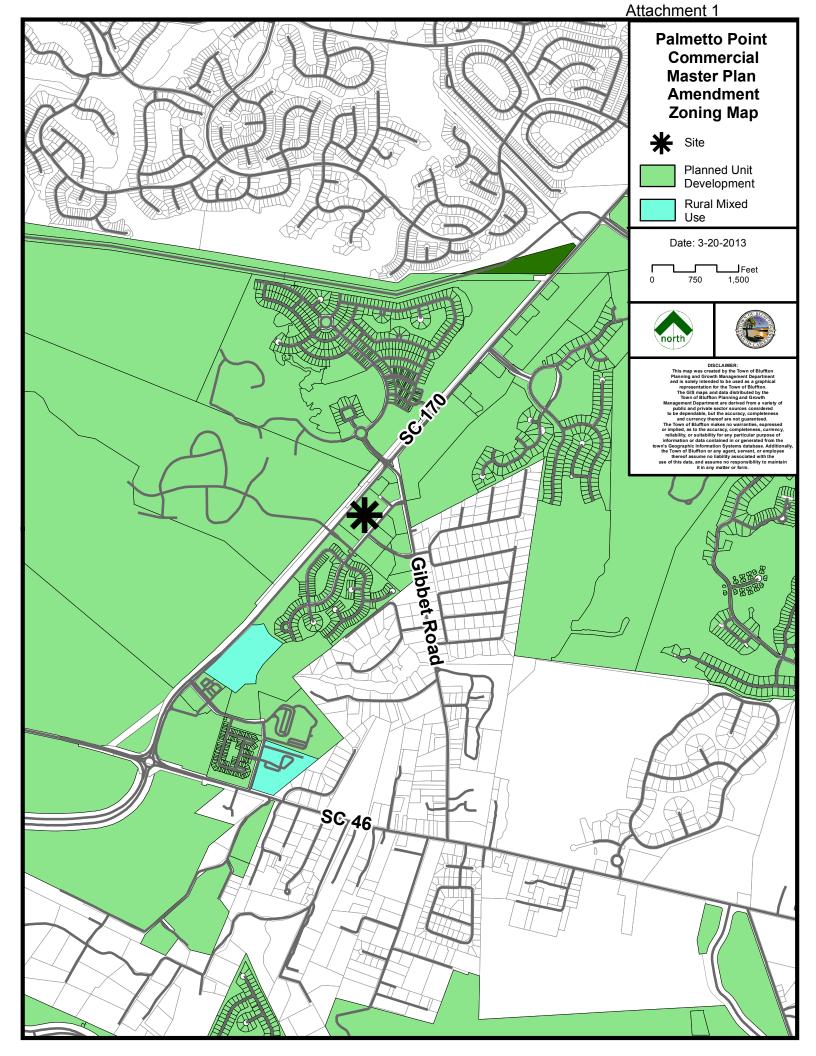
Finding. The application is in conformance with adopted and accepted plans, policies, and practices of the Town of Bluffton, particularly the Town of Bluffton Comprehensive Plan as referenced earlier. As a result the application is consistent with this requirement.

STAFF RECOMMENDATION: Staff finds that the requirements of Section 3.9.3 have been met and recommends that the Planning Commission approve the application with the following condition:

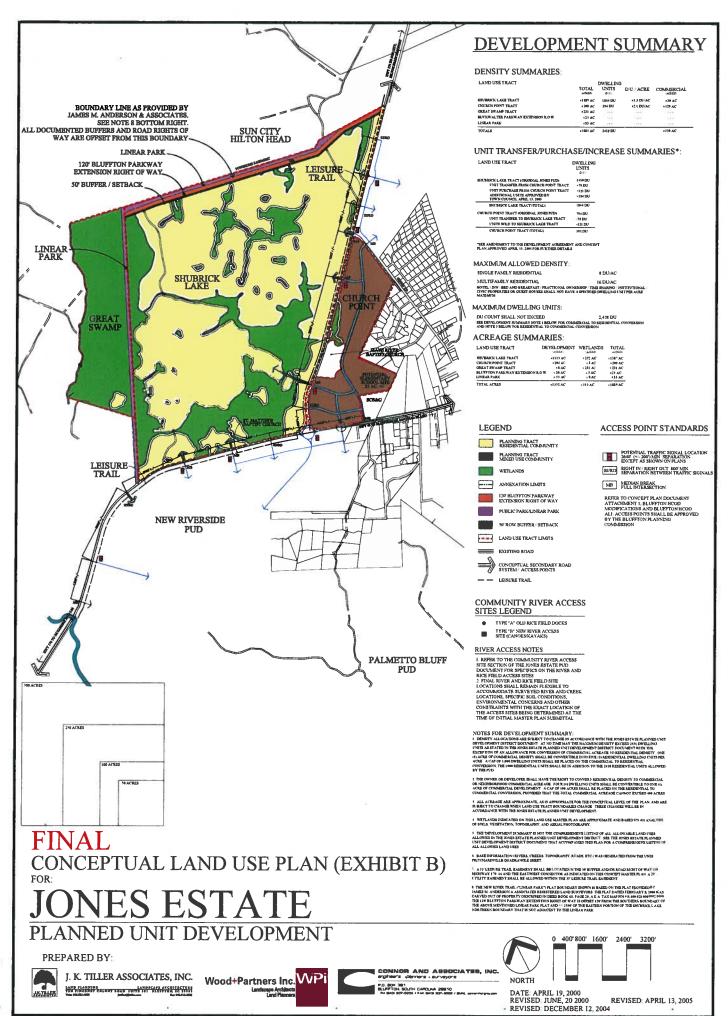
1. All Development Review Committee comments set forth in the March 19, 2013 Staff Report must be addressed.

ATTACHMENTS:

- 1. Zoning Map
- 2. Location Map
- 3. Jones Estate Concept Plan
- 4. Palmetto Point Commercial Approved Master Plan
- 5. Project Narrative
- 6. Palmetto Point Commercial Revised Master Plan
- 7. DRC Staff Report







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NORTH

COMMERCIAI SUBDIVISION **PALMETTO** POINT

BLUFFTON, SOUTH CAROLINA

PREPARED FOR

PLATINUM DEVELOPMENT, LLC

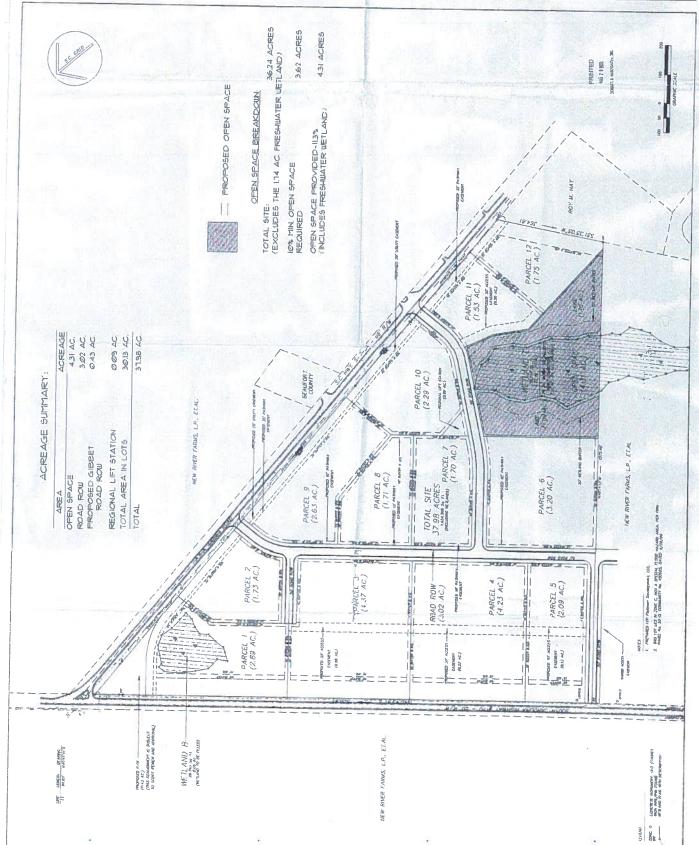
CONNOR & ASSOCIATES, INC. PREPARED BY:

ENGINEERS, PLANNERS, SURVEYORS

REVISED: FEBRUARY 9, 2001 FEBRUARY 21, 2001 MARCH 13, 2001 DECEMBER 5, 2000

MASTER PLAN INITIAL







Palmetto Point Commercial Subdivision Project Narrative

The Palmetto Point Commercial Subdivision Master Plan is a portion of the Church Point Planning Area located within the Jones Estate PUD. The parcels identified on the application are bordered by the existing HWY 170 to the west, Gibbet Road to the north, Estate Way to the east and Highland Crossing Drive to the south. These parcels are approximately 13.5 Acres and the entire PUD is approximately 36.69 Acres.

Under the original Jones Estate PUD Development Agreement, planning areas were designed to accommodate the future 150' HWY 170 ROW. At the time, the additional land needed for the 150' ROW was donated by the developer. Recently at the request of the Town of Bluffton, SCDOT has revised their widening plans to include a vegetative median to accommodate the saving of the existing historic tree canopy. This new ROW measures in width between 170' and 180', necessitating SCDOT's acquisition of additional land parallel to HWY 170. As a result of this acquisition of additional land, the current Jones Estate PUD Buffer and Building Setback lines will adversely affect development of the above mentioned parcels. Currently, the Jones Estate PUD requires a 60' Buffer and 75' Building Setback. This requirement in addition to the expanded ROW required by SCDOT pushes those Building/Setback lines further into the property.

Because this property is locked-in by the existing roads listed above, there is little to no wiggle room to accommodate the required Buffers/Setbacks and develop the site as anticipated before SCDOT's additional acquisition. The applicant requests a reduction in the Buffer/Setback requirement: one that holds the Buffer/Setback lines to their current locations as illustrated in the attached revised Master Plan for the Palmetto Point Commercial Subdivision. The Buffer varies from +/-30' to +/-40' and the Building Setback varies from 45'-55'. The variation in Buffer and Building Setback distance is a result of a tapered new ROW required by SCDOT. These new reduced Buffers and Building Setbacks exceed the precedent of 30' reduced Buffer & Setback already allowed for properties just north of this site.

T:\Projects\200549\-02\corresp\Narrative.wpd

Voice: 843.815.4800

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SHEET

COMMERCIAL **SUBDIVISION PALMETTO** POINT

PLATINUM DEVELOPMENT LLC BLUFFTON, SOUTH CAROLINA PREPARED FOR

CONNOR & ASSOCIATES, ENGINEERS, PLANNERS, SURVEYORS DECEMBER 5, 2000

PREPARED BY

REVISED: FEBRUARY 9, 2001 FEBRUARY 21, 2001 MARCH 13, 2001

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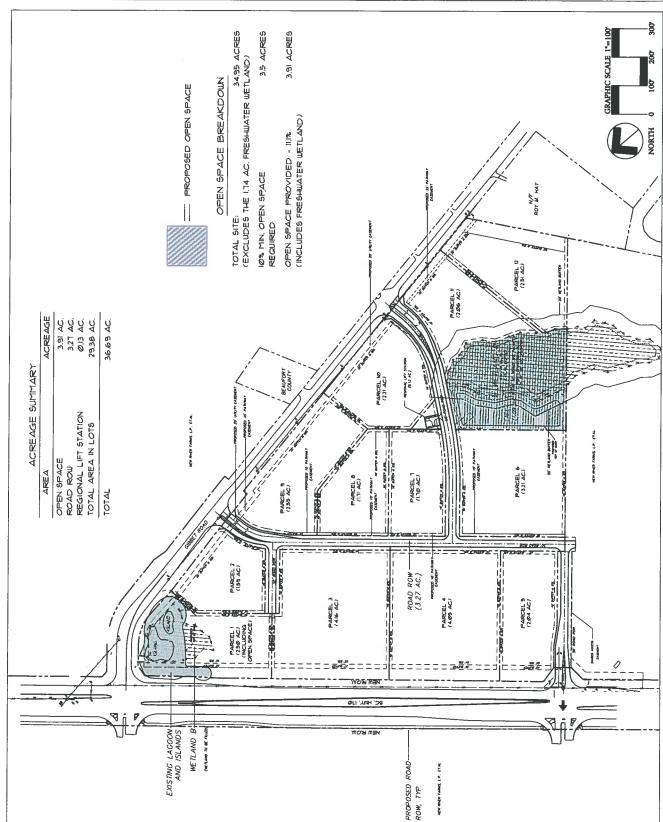
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REVISED; MAY 15, 2004 JUNE 04, 2004 ALGUST 24, 2004 SEPTEMBER 08, 2004 SEPTEMBER 13, 2004

J. K. TILLER ASSOCIATES, INC. REVISED: FEBRUARY 28, 2013

MASTER PLAN



DEVELOPMENT REVIEW COMMITTEE

STAFF REPORT

Department of Growth Management



MEETING DATE:	March 19, 2013
PROJECT:	MPA-2-13-5332: Palmetto Point Commercial
PROJECT MANAGER:	Erin Schumacher, Senior Planner

The Town of Bluffton has reviewed the Master Plan Amendment Application for the Palmetto Pointe Commercial and zoned PUD in the Jones Tract. The Application was reviewed for conformance with the following documents: Town of Bluffton Unified Development Ordinance, Town of Bluffton Stormwater Design Manual, The Jones Estate PUD Development Agreement, Jones Estate Concept Plan, Beaufort County 90/3 ZDSO with modifications, Palmetto Point A Commercial Subdivision Initial Master Plan and the International Fire Code.

The Town of Bluffton submits the following comments:

COMMENTS:

Growth Management (Schumacher, Thorsen)

- 1. Clarify parcel 5 layout and size. It is different from the approved initial Master Plan. (Unified Development Ordinance 3.2.2.E)
- 2. Clarify and confirm configuration of existing lagoon as it appears to encroach into the right of way of SC 170. (Unified Development Ordinance 3.2.2.E)

Engineering (Jarrett, Bullman)

- 1. Prior to issuance of any development permit, provide documentation from SCDOT stating that the items listed on the attached letter from SCDOT dated June 8, 2006 have been addressed or will be addressed with the development permit. (ZDSO 90/3 Section 5.2.1.D.1)
- 2. Natural vegetative buffers play an integral part in minimizing the volume of stormwater runoff by promoting infiltration and acting as a first line of treatment of water quality pollution. Development shall observe the buffer requirements of this article; or if applicable the relevant development agreement, concept plan, and/or approved master plan. Thus, upon development plan approval additional water quality pollution abatement measures shall be required to mitigate the amended buffer condition. (Unified Development Ordinance 5.10.3.a)

Police Department (Chandler)

1. No Comments

Bluffton Township Fire District (Sills)

1. No Comments

Planning Commission (Viljac, Tiller, Titus)

1. No Comments